

**ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**

IN THE MATTER OF:

**Madix, Inc.
Eclectic, Elmore County, Alabama
EPA ID No. ALR000008276**

ORDER NO. 10-XXX-CHW

**Madix, Inc.
Goodwater, Coosa County, Alabama
EPA ID No. ALD004020855**

PREAMBLE

This Special Order by Consent is made and entered into by the Alabama Department of Environmental Management (hereinafter "the Department" or "ADEM") and Madix Inc. pursuant to the provisions of the Alabama Environmental Management Act, Ala. Code §§ 22-22A-1 to 22-22A-16 (2006 Rplc. Vol.), and the Alabama Hazardous Wastes Management and Minimization Act (hereinafter "AHWMMA"), Ala. Code §§ 22-30-1 to 22-30-24 (2006 Rplc. Vol.), and the regulations promulgated pursuant thereto.

STIPULATIONS

1. Madix Inc. is the owner and/or operator of two wooden and metal shelf manufacturing facilities. One facility, Madix Eclectic (which is assigned EPA Identification Number ALR000008276), is located at 500 Madix Drive, Eclectic, Elmore County, Alabama, and the other, Madix Goodwater (which is assigned EPA Identification Number ALD004020855), is located at 1537 South Main Street, Goodwater, Coosa County, Alabama.

2. The Department is a duly constituted department of the State of Alabama pursuant to Ala. Code §§ 22-22A-1 to 22-22A-16 (2006 Rplc. Vol.).

3. Pursuant to Ala. Code § 22-22A-4(n) (2006 Rplc. Vol.), the Department is the state agency responsible for the promulgation and enforcement of solid and hazardous waste regulations in accordance with the federal Solid Waste Disposal Act §§ 1002 to 11012, 42 U.S.C. §§ 6901 to 6992k, as amended. In addition, the Department is authorized to administer and enforce the provisions of the AHWMMA, Ala. Code §§ 22-30-1 to 22-30-24 (2006 Rplc.

Vol.).

4. On January 28, 2010, a representative of U.S. Environmental Protection Agency-Region 4 and a representative of the Department conducted an on-site compliance evaluation inspection (hereinafter "CEI") of Madix Eclectic. The CEI and subsequent review of Madix Eclectic's compliance showed the following:

(a) Pursuant to ADEM Admin. Code r. 335-14-3-.04(1)(a) made applicable by ADEM Admin. Code r. 335-14-3-.02(4)(a)3., a generator must keep a copy of each manifest signed in accordance with 335-14-3-.02(4)(a) for three years or until he receives a signed copy from the designated facility which received the waste. This signed copy must be retained as a record for at least three years from the date the waste was accepted by the initial transporter. Madix Eclectic did not maintain on site signed copies of the manifests for hazardous waste transported off site during the past three calendar years.

(b) Pursuant to ADEM Admin. Code r. 335-14-6-.02(7)(e) made applicable by ADEM Admin. Code r. 335-14-3-.03(5)(a)4., training records on current personnel must be kept until closure of the facility. Training records on former employees must be kept for at least three years from the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the same company. Madix Eclectic did not maintain on site records that document that the required hazardous waste training or annual review had been given to, and completed by, facility personnel in 2007.

(c) Pursuant to ADEM Admin. Code r. 335-14-6-.04(3)(e) made applicable by ADEM Admin. Code r. 335-14-3-.03(5)(a)4., the contingency plan must include a list of all emergency equipment at the facility (such as fire extinguishing systems, spill control equipment, communications and alarm systems, and decontamination equipment), where this equipment is required. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list, and a brief outline of its capabilities. Madix Eclectic did not include the location of the

emergency response equipment listed in its contingency plan.

(d) Pursuant to ADEM Admin. Code r. 335-14-6-.04(5) made applicable by ADEM Admin. Code r. 335-14-3-.03(5)(a)4., the contingency plan must be reviewed, and immediately amended, if necessary, whenever applicable rules are revised; the plan fails in an emergency; the facility changes—in its design, construction, operation, maintenance, or other circumstances—in a way that materially increases the potential for fires, explosions, or releases of hazardous waste or hazardous waste constituents, or changes the response necessary in an emergency; the list of emergency coordinators changes; or the list of emergency equipment changes. Madix Eclectic did not revise the contingency plan when Madix Eclectic's list of emergency coordinators changed.

(e) Pursuant to ADEM Admin. Code r. 335-14-3-.03(5)(b), a Large Quantity Generator who accumulates hazardous waste for more than 90 days is an operator of a storage facility and is subject to the requirements of 335-14-5 and 335-14-6, and the permit requirements of 335 14-8 unless he has been granted an extension to the 90 day period. Solvent recovery records provided to the Department by Madix Eclectic indicate that Madix Eclectic stored hazardous wastes on site for greater than 90 days on two separate occasions (from April 29, 2009 to September 13, 2009 and from September 14, 2009 to February 16, 2010). Madix Eclectic therefore operated a hazardous waste storage facility without having first obtained a permit from the Department.

(f) Pursuant to ADEM Admin. Code r. 335-14-6-.02(6)(d) made applicable by ADEM Admin. Code r. 335-14-6-.09(5) and ADEM Admin. Code r. 335-14-3-.03(5)(d)2., the owner or operator must inspect areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors. The owner or operator must also note the number and capacity of hazardous waste containers present. The owner or operator must record inspections in an inspection log or summary. He must keep these records for at least three years from the date of inspection. At a minimum, these records must include the date and time of the inspection, the name of the inspector, a notation of the observations made, and the date

and nature of any repairs or other remedial actions. Madix Eclectic did not include the number and capacity of hazardous waste containers present and the name of the inspector in the 90-day hazardous waste container storage area inspection records .

(g) Pursuant to ADEM Admin. Code r. 335-14-11-.02(4)(d)1., a small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions. Madix Eclectic did not keep closed one wooden crate containing universal waste lamps.

(h) Pursuant to ADEM Admin. Code r. 335-14-11-.02(5)(e), each lamp or a container or package in which the lamps are contained must be labeled or marked clearly with any one of the following phrases: "Universal Waste -- Lamp(s)", or "Waste Lamp(s)", or "Used Lamp(s)". Madix Eclectic did not label or mark the aforementioned wooden crate or the individual waste lamps in the crate with any of the prescribed phrases.

(i) Pursuant to ADEM Admin. Code r. 335-14-11-.02(6)(c), a small quantity handler of universal waste who accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. Madix Eclectic did not label or mark the aforementioned container of the universal waste lamps with the accumulation start date nor did Madix Eclectic provide or describe any other method it relies on to clearly demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste.

5. On February 24, 2010, Department personnel conducted an on-site CEI of Madix Goodwater. The CEI and subsequent review of Madix Goodwater's compliance showed the following:

(a) Pursuant to ADEM Admin. Code r. 335-14-3-.01(2), a person who generates a solid waste, as defined in 335-14-2-.01(2), must determine if that waste is a hazardous waste. Madix Goodwater did not make hazardous waste determinations on the contents of a closed and unlabeled 55-gallon drum located next to an air compressor outside the Wood Products Shop and four used oil filters staged in a shallow container in the air compressor room inside the Main/Metal Products Building. The used oil filters had not been punctured and hot-drained; crushed and hot-drained; or dismantled and hot-drained to remove the free-flowing used oil.

(b) Pursuant to ADEM Admin. Code r. 335-14-17-.03(4)(a)1., a container holding used oil must always be closed during storage, except when it is necessary to add or remove used oil. Madix Goodwater did not keep closed one 5-gallon bucket of used oil located in the maintenance garage; and used oil was not being added to or removed from the container at the time of the inspection.

(c) Pursuant to ADEM Admin. Code r. 335-14-17-.03(4)(c)1., containers and used oil tanks, except underground tanks, used to store used oil at used oil generator locations must be labeled or marked clearly with the words "Used Oil". Madix Goodwater did not label the aforementioned used oil container with the words "Used Oil."

(d) Pursuant to ADEM Admin. Code r. 335-14-3-.03(5)(c)1.(ii), a generator may accumulate as much as 55 gallons of hazardous waste or one quart of acutely hazardous waste as listed in 335-14-2-.04(4)(e) in containers at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with 335-14-3-.03(5)(a) provided he marks his containers either with the words "Hazardous Waste" or with other words that identify the contents of the containers. Madix Goodwater did not mark a 55-gallon satellite accumulation area (SAA) container located in the paint storage area with the words "Hazardous Waste" or with other words describing the contents.

(e) Pursuant to ADEM Admin. Code r. 335-14-3-6-.09(4)(a) made applicable by ADEM Admin. Code r. 335-14-3-.03(5)(c)1.(i), a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste. The aforementioned SAA container was not closed and waste was not being added to or removed from the container at the time of the inspection.

(f) Pursuant to ADEM Admin. Code r. 335-14-3-.03(5)(c)2., a generator who accumulates either hazardous waste or acutely hazardous waste listed in 335-14-2-.04(4)(e) in excess of the amounts listed in 335-14-3-.03(5)(c)1. at or near any point of generation must, with respect to the initial amount of waste (55 gallons of hazardous waste or one quart of acutely hazardous waste), comply within three days with 335-14-3-.03(5)(a) or other applicable provisions of Division 335-14. During the three-day period, the generator must continue to comply with 335-14-3-.03(5)(c)1.(i) and (ii). The generator must mark the container holding the initial amount of hazardous waste with the date the initial amount was reached. Madix Goodwater did not mark four 55-gallon SAA containers of hazardous waste located in the Wood Shop with the accumulation start date. The SAA containers were marked with the accumulation start date at the time of the inspection.

(g) Pursuant to ADEM Admin. Code r. 335-14-11-.02(4)(d)1., universal waste lamps must be contained in containers that are closed, structurally sound, adequate to prevent breakage, compatible with its contents, and have no evidence of leakage, spillage or damage. Madix Goodwater did not containerize six fluorescent lamps. These lamps had been discarded on the ground near the former site of a hazardous waste storage tank.

(h) Pursuant to ADEM Admin. Code r. 335-14-11-.02(5)(e), each lamp or a container or package in which the lamps are contained must be labeled or marked clearly with any one of the following phrases: "Universal Waste -- Lamp(s)", or "Waste Lamp(s)", or "Used Lamp(s)". Madix Goodwater did not label or mark two large

hazardous waste container storage area had loosened to such an extent that a gap had formed at the base of the shed.

(l) ADEM Admin. Code r. 335-14-3-6-.04(3) made applicable by ADEM Admin. Code r. 335-14-3-.03(5)(a)4. prescribes the content of the contingency plan. Madix Goodwater's 2004 contingency plan did not include a description of arrangements agreed to by state and local emergency response teams to coordinate emergency services; an up-to-date list of emergency coordinators with their contact information, and an up-to-date list of all emergency equipment with the location and a physical description of each item on the list, and a brief outline of its capabilities. Facility records indicated that on February 6, 2010, Madix Goodwater forwarded a copy of its contingency plan to an environmental consultant for updating.

(m) Pursuant to ADEM Admin. Code r. 335-14-6-.02(7)(e) made applicable by ADEM Admin. Code r. 335-14-3-.03(5)(a)4., training records on current personnel must be kept until closure of the facility. Training records on former employees must be kept for at least three years from the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the same company. Madix Goodwater did not maintain on site records that document that the required hazardous waste training or annual review had been given to, and completed by, facility personnel in 2007 and 2008.

(n) Pursuant to ADEM Admin. Code r. 335-14-3-.04(1)(a) made applicable by ADEM Admin. Code r. 335-14-3-.02(4)(a)3., a generator must keep a copy of each manifest signed in accordance with 335-14-3-.02(4)(a) for three years or until he receives a signed copy from the designated facility which received the waste. This signed copy must be retained as a record for at least three years from the date the waste was accepted by the initial transporter. Madix Goodwater did not maintain on site signed copies of the manifests for hazardous waste transported off site in 2007 and 2008.

(o) Pursuant to ADEM Admin. Code r. 335-14-3-.03(5)(b), a Large Quantity Generator who accumulates hazardous waste for more than 90 days is an operator of a storage facility and is subject to the requirements of 335-14-5 and 335-14-6, and the permit requirements of 335-14-8 unless he has been granted an extension to the 90 day period. Such extension may be granted by the Department if hazardous wastes must remain on-site for more than 90 days due to unforeseeable, temporary, and uncontrollable circumstances. An extension of up to 30 days may be granted at the discretion of the Department on a case-by-case basis upon written request from the generator submitted prior to the expiration of the 90-day period. Madix Goodwater's solvent recovery records dated January 2008 to February 2010 indicated that on three occasions Madix Goodwater accumulated hazardous waste in a tank for more than 90 days without a storage facility permit. The dates on the solvent recovery records were April 29, 2009 (which covered the period from December 3, 2008 to April 29, 2009), November 3, 2009 (which covered the period from April 30, 2009 to November 3, 2009), and February 15, 2010 (which covered the period from November 4, 2009 to February 15, 2010). Madix Goodwater therefore operated a hazardous waste storage facility without having first obtained a permit from the Department.

6. On March 10, 2010, the Department issued a Notice of Violation (hereinafter "NOV"), which cited violations of the hazardous waste regulations that were in existence or observed during the CEI conducted on February 24, 2010, to Madix Goodwater.

7. On March 30, 2010, the Department issued a NOV, which cited violations of the hazardous waste regulations that were in existence or observed during the CEI conducted on January 28, 2010, to Madix Eclectic.

8. On March 30, 2010, the Department received Madix Goodwater's response to the NOV dated March 10, 2010.

9. On April 23, 2010, the Department received Madix Eclectic's response to the NOV dated March 30, 2010.

10. Madix Inc. consents to abide by the terms of this Consent Order and to pay the civil penalty assessed herein. Madix Inc. neither agrees nor disagrees with the Stipulations presented in this Consent Order, but in an effort to cooperate with the Department and to comply with the provisions of the AHWMMMA, has consented to the terms of this Consent Order.

11. The Department has agreed to the terms of this Consent Order in an effort to resolve the alleged violations cited herein without the unwarranted expenditure of State resources in further prosecuting the above violations. The Department has determined that the terms contemplated in this Consent Order are in the best interests of the citizens of Alabama.

MADIX INC.'S CONTENTIONS

12. Madix is committed to continued excellence, leadership and stewardship in protecting the environment. Environmental protection is a primary management responsibility, as well as the responsibility of every employee. In keeping with this policy, our objective is to reduce waste and achieve minimal impact on air, water and land through excellence in sentimental control. As a 53-year old company that employees over 600 citizens in Alabama, we believe ourselves to be a pillar of our community and will operate and lead by example.

13. The alleged violations relate to regulatory non-compliance and documentation; there are no allegations of environmental compromise or harm. Madix does not take lightly these alleged violations and will make every effort to remedy any actual non-compliance.

14. The Department neither admits nor denies Madix Inc.'s contentions.

DEPARTMENT'S CONTENTIONS

15. Pursuant to Ala. Code § 22-22A-5(18) (2006 Rplc. Vol.), in determining the amount of any penalty, the Department must give consideration to the seriousness of the violation(s), including any irreparable harm to the environment and any threat to the health or safety of the public; the standard of care manifested by such person; the economic benefit which delayed compliance may confer upon such person; the nature, extent, and degree of

success of such person's efforts to minimize or mitigate the effects of such violation(s) upon the environment; such person's history of previous violations; and the ability of such person to pay such penalty. Any civil penalty assessed pursuant to this authority shall not be less than \$100.00 or exceed \$25,000.00 for each violation, provided however, that the total penalty assessed in an order issued by the department shall not exceed \$250,000.00. Each day such a violation continues shall constitute a separate violation.

16. In arriving at this civil penalty, the Department has considered the following:

(a) SERIOUSNESS OF THE VIOLATION: The Department is not aware of any irreparable harm to the environment resulting from the alleged violations.

(b) THE STANDARD OF CARE: Madix Inc. did not exhibit a standard of care commensurate with applicable regulatory standards.

(c) ECONOMIC BENEFIT WHICH DELAYED COMPLIANCE MAY HAVE CONFERRED: Based on the information available to the Department, it appears that no economic benefit was conferred upon Madix Inc.

(d) EFFORTS TO MINIMIZE OR MITIGATE THE EFFECTS OF THE VIOLATION UPON THE ENVIRONMENT: Upon discovery of the violations, Madix Inc. took corrective actions to address the violations and to prevent their recurrence.

(e) HISTORY OF PREVIOUS VIOLATIONS: Madix Inc has a history of similar violations of the AHWMA and its implementing regulations. The past violations were addressed by appropriate enforcement actions issued by the Department.

(f) THE ABILITY TO PAY: Madix Inc. has not alleged an inability to pay the civil penalty.

17. The Department has carefully considered the six statutory penalty factors enumerated in Ala. Code § 22-22A-5(18)c (2006 Rplc. Vol.), as well as the need for timely and effective enforcement, and has concluded that the civil penalty herein is appropriate and consistent with the historical penalty range imposed by the Department for similar violations (see Attachment A).

18. Madix Inc. neither admits nor denies the Department's contentions.

ORDER

THEREFORE, without admitting that it has violated any statutes or regulations, Madix Inc., along with the Department, desires to resolve and settle the alleged violations cited above. The Department has carefully considered the facts available to it and has considered the six penalty factors enumerated in Ala. Code § 22-22A-5(18) (2006 Rplc. Vol.), as well as the need for timely and effective enforcement; the Department believes that the following conditions are appropriate to address the violations alleged herein. Therefore, the Department and Madix Inc. agree to enter into this Consent Order with the following terms and conditions:

A. Pursuant to Ala. Code § 22-22A-5(18)a.4. (2006 Rplc. Vol.), Madix Inc. agrees to pay to the Department a civil penalty in the amount of \$30,050 in settlement of the violations alleged herein within forty-five days from the effective date of this Consent Order. Failure to pay the civil penalty within forty-five days from the effective date may result in the Department's filing a civil action in the Circuit Court of Montgomery County to recover the civil penalty.

B. Madix Inc. agrees that all penalties due pursuant to this Consent Order shall be made payable to the Alabama Department of Environmental Management by certified or cashier's check and shall be remitted to:

Office of General Counsel
Alabama Department of Environmental Management
P.O. Box 301463
Montgomery, Alabama 36130-1463

Any check submitted to the Department pursuant to this order shall reference Madix Inc.'s name and address and the ADEM Administrative Order Number of this action.

C. That, commencing immediately upon the effective date of this Order and henceforth, Madix Inc. shall comply with all terms, conditions, and limitations of the AHWMMA, Ala. Code §§ 22-30-1 to 22-30-24 (2006 Rplc. Vol.), and the regulations promulgated pursuant thereto.

D. That, within sixty days of the effective date of this Consent Order, Madix Inc. agrees to remove and properly dispose of all hazardous waste and hazardous waste residues from its 90-day hazardous waste storage tanks ("units"). Remaining contaminated containment system components (liners, bases, etc.), contaminated soils, and structures and equipment contaminated with hazardous waste or hazardous waste residues shall be decontaminated or removed and properly disposed.

E. That, within forty-five days after completion of closure of the units, Madix Inc. agrees to provide a written report documenting the procedures used to comply with ADEM Admin. Code rs. 335-14-3-.03(5)(a)5. and 335-14-6-.10(8) along with the applicable fee specified in Fee Schedule G (Hazardous Waste Generator Closure Certification) of ADEM Admin. Code r. 335-1-6-.07. The report at a minimum must include:

1. The legal names of Madix Inc.' manufacturing operations in Alabama, their physical addresses, and EPA Identification Numbers, a description of the units that were closed including the hazardous waste type(s), maximum volume, and the associated EPA hazardous waste numbers, and site diagrams identifying each unit;
2. The condition of the units at the time of closure including photographs of the units and their containment systems; and
3. All analytical records, manifests, and all other documents related to hazardous waste determinations on, and proper management and disposal of, stored wastes, unit components, investigation derived wastes, and decontamination wastes.

F. If Madix Inc. demonstrates that not all contaminated soils can be practicably removed or decontaminated as required in Paragraph D. of this Order, then Madix Inc. must close the tank system(s) and perform post-closure care in accordance with the closure and post-closure requirements that apply to landfills [ADEM Admin. Code rs. 335-14-5-.14(11), 335-14-5-.07, and 335-14-5-.08].

H. The parties agree that this Consent Order shall apply to and be binding upon both parties, their directors, officers, and all persons or entities acting under or for them. Each

signatory to this Consent Order certifies that he or she is fully authorized by the party he or she represents to enter into the terms and conditions of this Consent Order, to execute the Consent Order on behalf of the party represented, and to legally bind such party.

I. The parties agree that, subject to the terms of these provisions and subject to provisions otherwise provided by statute, this Consent Order is intended to operate as a full resolution of the violations alleged in this Consent Order.

J. Madix Inc. agrees that it is not relieved from any liability if it fails to comply with any provision of this Consent Order.

K. The parties agree that the sole purpose of this Consent Order is to resolve and dispose of all allegations and contentions stated herein concerning the factual circumstances referenced herein. Should additional facts and circumstances be discovered in the future which would constitute possible violations not addressed in this Consent Order, then such future violations may be addressed in Orders as may be issued by the Director, litigation initiated by the Department, or such other enforcement action as may be appropriate; Madix Inc. agrees not to object to such future orders, litigation, or enforcement action based on the issuance of this Consent Order if future orders, litigation, or other enforcement action address new matters not raised in this Consent Order.

L. The parties agree that this Consent Order shall be considered final and effective immediately upon signature of all parties. This Consent Order shall not be appealable, and Madix Inc. does hereby waive any hearing on the terms and conditions of this Consent Order.

M. The parties agree that this Consent Order shall not affect Madix Inc.'s obligation to comply with any Federal, State, or local laws or regulations.

N. The parties agree that final approval and entry into this Consent Order are subject to the requirements that the Department give notice of proposed Orders to the public, and that the public have at least thirty days within which to comment on the Consent Order.

O. The parties agree that, should any provision of this Consent Order be declared by a court of competent jurisdiction or the Environmental Management Commission to be

inconsistent with Federal or State law and therefore unenforceable, the remaining provisions hereof shall remain in full force and effect.


P. The parties agree that any modifications of this Consent Order must be agreed to in writing signed by both parties.

Q. The parties agree that, except as otherwise set forth herein, this Consent Order is not and shall not be interpreted to be a permit or modification of an existing permit under Federal, State or local law, and shall not be construed to waive or relieve Madix Inc. of its obligations to comply in the future with any permit.

Executed in duplicate, with each part being an original.

MADIX INC.

ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT


(Signature of Authorized Representative)

Lance R. LeFleur
Director

Justin Saunders
(Printed Name)

Director of Finance & Administration
(Printed Title)

6/3/10
(Date Signed)

(Date Executed)

Attachment A

Penalty Calculation Worksheet

Madix Inc.

Madix Eclectic

Eclectic, Elmore County, AL

EPA ID No.AL000008276

Madix Goodwater

Goodwater, Coosa County, AL

EPA ID No.ALD004020855

Violation*	Number of Violations*	Seriousness of Violation & Base Penalty*	Standard of Care*	History of Previous Violations*
Failure to perform adequate waste determinations	1	\$1,500	\$0	\$0
Failure to maintain hazardous waste manifests on site	2	\$200	\$0	\$200
Failure to maintain documentation of hazardous waste training on site	2	\$200	\$0	\$200
Failure to provide secondary containment for hazardous waste containers	1	\$5,000	\$0	\$0
Failure to have a complete and up-to-date contingency plan on site	2	\$200	\$0	\$200

Violation*	Number of Violations*	Seriousness of Violation & Base Penalty*	Standard of Care*	History of Previous Violations*
Storage of hazardous waste on site for greater than 90 days without obtaining a permit	2	\$20,000	\$0	\$0
Failure to close satellite accumulation containers	1	\$100	\$0	\$50
Failure to label satellite accumulation containers	1	\$100	\$0	\$0
Failure to mark hazardous waste containers with the appropriate accumulation start date	4	\$400	\$0	\$200
Failure to properly document inspections of the hazardous waste storage area	2	\$200	\$0	\$200
Failure to package universal waste lamps in appropriate containers	3	\$300	\$0	\$0
Failure to label universal waste lamps	4	\$400	\$0	\$0
Failure to document the amount of time universal waste lamps were stored on site	2	\$200	\$0	\$0

Violation*	Number of Violations*	Seriousness of Violation & Base Penalty*	Standard of Care*	History of Previous Violations*
Failure to close containers of used oil	1	\$100	\$0	\$0
Failure to label containers of used oil	1	\$100	\$0	\$0
Totals:	29	\$29,000	\$0	\$1050

Economic Benefit: _____ \$0
Mitigating Factors: _____ \$0
Ability to Pay: _____ \$0
Other Factors: _____ \$0

Civil Penalty: _____ **\$30,050**

Footnotes:

* See the "Findings" of the Order for a detailed description of each violation and the penalty factors